

**Notice of Confidentiality Rights:** If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your social security number or your driver's license number.

**AMENDMENT TO OIL, GAS AND MINERAL LEASE  
CORRECTING PROPERTY DESCRIPTION**

STATE OF TEXAS            }  
                                      }  
COUNTY OF TARRANT    }     **KNOW ALL MEN BY THESE PRESENTS:**

**THAT WHEREAS**, on the 14<sup>th</sup> day of February 2008, Joye R. Smoak as Lessor, did execute an Oil, Gas and Mineral lease to **ENCANA OIL & GAS (USA) Inc.** Said Lease was filed March 27, 2008 and is recorded as Document No. D208108591 of the Official Public Records of Tarrant County, Texas covering the following described land, to wit:

**1.00 acres, more or less, being all of Block Lot 1, Stephens Heights Addition to the City of Benbrook, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-O, Page 273, of the Plat records of Tarrant County, Texas, and being more particularly described in a certain Warranty Deed dated May 6, 1998 from Bill Kirk Periman, Jr. Independent Executor of the Estate of Hazel C. Periman to Joye R. Smoak, recorded by Document Number D198098899 of the Official Public Records of Tarrant County, Texas**

**WHEREAS**, it is the desire of the parties hereto to comply with the provisions of the said **OIL, GAS & MINERAL LEASE**;

**NOW, THEREFORE, I, Joye R. Smoak**, as Lessor under the original Lease and a present owner of the oil, gas and other minerals, in, on and under said land, in and for the consideration of Ten Dollars (\$10.00) and other Valuable Considerations, the receipt of which is acknowledged, do hereby agree to the following:

Correction of the property description of the said **OIL, GAS & MINERAL LEASE**

**FROM:**

**1.00 acres, more or less, being all of Block Lot 1, Stephens Heights Addition to the City of Benbrook, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-O, Page 273, of the Plat records of Tarrant County, Texas, and being more particularly described in a certain Warranty Deed dated May 6, 1998 from Bill Kirk Periman, Jr. Independent Executor of the Estate of Hazel C. Periman to Joye R. Smoak, recorded by Document Number D198098899 of the Official Public Records of Tarrant County, Texas**

**To: The following described property, to-wit: Description for a tract of land out of the H.A. Lounes Survey, Abstract -1999, situated in Tarrant County, Texas, and more particularly a part of a certain 5.219 acre tract out of said survey and being more particularly described by metes and bounds as follows:**

**BEGINNING** at an iron pin in the North line of Jakmar Street and being the southwest corner of said 5.219 acre tract, said iron pin lying South 01 degrees, 35 minutes East, 546.0 feet and West 956.9 feet from the most southerly northeast corner of said Lounes Survey;

**THENCE** North, along the West line of said 5.219 acre tract 266.0 feet to an iron pin for corner;

**THENCE** North 89 degrees, 44 minutes East, 163.75 feet to an iron pin for corner;

Thence South, 266.75 feet to an iron pin for corner in the South line of said 5.219 acre tract, and in the North line of Jakmar Street;  
THENCE West, along the South line of said 5.219 acre tract and the North line of Jakmar Street, a distance of 163.75 feet to the Point of Beginning and containing 1.00 acre of land.

Being the same land described in a Warranty Deed with Vendor's Lien dated June 27, 1985, from Humberto G. Cruz and wife, Viven M. Cruz to John Edward Fonda and wife, Joanne Patricia Fonda, recorded in Volume 8229, page 1902 of the Deed Records of Tarrant County, Texas.

Except as to the changes herein made, all other provisions of said Oil, Gas and Mineral lease and any recorded amendments, if any, are hereby ratified, adopted and confirmed as if incorporated herein.

This Agreement shall be binding upon and shall inure to the benefit of the respective heirs, successors, legal representatives or assigns of the Lessors herein.

EXECUTED on this 14<sup>th</sup> day of May, 2008

Joye R. Smoak

Joye R. Smoak, LESSOR

ENCANA OIL & GAS (USA) INC.

By: Mark A. Virant

Mark A. Virant, Attorney-In-Fact

JB  
NML

#### ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF TARRANT

This instrument was acknowledged before me on this the 14<sup>th</sup> day of May, 2008 by Joye R. Smoak.

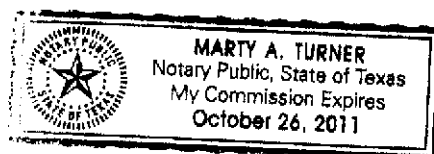
Marty A. Turner

Notary Public, State of Texas

Marty A. Turner

Printed Name of Notary

My Commission Expires: \_\_\_\_\_



**ACKNOWLEDGMENT**

**STATE OF TEXAS**

**COUNTY OF DALLAS**

This instrument was acknowledged before me on this the 20<sup>th</sup> day of May, 2008 by Mark A. Virant, Attorney-in-fact for EnCana Oil & Gas (USA) Inc.

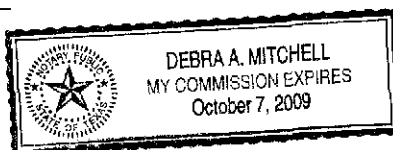
Debra A. Mitchell

Notary Public, State of Texas

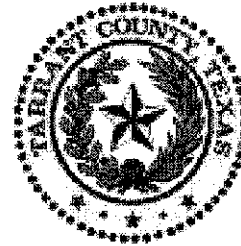
Debra A. Mitchell

Printed Name of Notary

My Commission Expires: 10-07-2009



After Recording, Return To:  
EnCana Oil & Gas (USA) Inc.  
Attn: Jay Beavers  
14001 North Dallas Parkway, Suite 1100  
Dallas, TX 75240



ENCANAN OIL & GAS  
14001 N DALLAS PARKWAY SUITE 1100

DALLAS TX 75240

Submitter: DANIEL FLOYD

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SUZANNE HENDERSON  
TARRANT COUNTY CLERK  
TARRANT COUNTY COURTHOUSE  
100 WEST WEATHERFORD  
FORT WORTH, TX 76196-0401

**DO NOT DESTROY**  
**WARNING - THIS IS PART OF THE OFFICIAL RECORD.**

Filed For Registration: 05/22/2008 10:46 AM  
Instrument #: D208191941  
LSE 4 PGS \$24.00

By: \_\_\_\_\_



**D208191941**

**ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE  
OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR  
RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.**

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